



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Michael R. Brown
Docket No.: 00-01-A-1001 PH
Document: Final Order

Regarding your request for information about the above-named practitioner, certain information may have been withheld pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld:

NONE

If you have any questions or need additional information regarding the information that was withheld, please contact:

Adjudicative Clerk Office
P.O. Box 47879
Olympia, WA 98504-7879
Phone: (360) 236-4677
Fax: (360) 586-2171

You may appeal the decision to withhold any information by writing to Nancy Ellison, Deputy Secretary, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
BOARD OF PHARMACY**

In the Matter of the License to Practice as a Pharmacist of)	Docket No. 00-01-A-1001PH
)	
MICHAEL R. BROWN, RPh)	FINDINGS OF FACT, CONCLUSIONS
License No. 14792)	OF LAW AND FINAL ORDER OF
)	DEFAULT (Failure to Appear)
Respondent.)	
)	

This matter comes before the Washington State Board of Pharmacy for final order of default. Board members deciding the case were: Leon Alzola, RPh, Donna Dockter, RPh, Art Yeoman, RPh and Susan Teil-Boyer, RPh. Based on the record, the Board now issues the following:

Section 1. PROCEDURAL HISTORY

1.1 On February 3, 2000 the Board issued a Statement of Charges alleging unprofessional conduct by Respondent . A Notice of Opportunity of Settlement and Hearing and Answer to Statement of Charges and Request for Settlement and Hearing was also issued at that time. On February 4, 2000 these documents were served at Respondent's last known address.

1.2 The Department's motion for an order of default was granted and Notice of Failure to Respond was issued by the Adjudicative Clerks Office on February 29, 2000.

1.3 The Department submitted the Declaration of Georgia Robinson-Sage, Discipline Manager with attached exhibits.

Section 2: FINDINGS OF FACT

2.1 Michael R. Brown, RPh, Respondent, was issued a license to practice as a pharmacist in the state of Washington in May 1986. Respondent's current license to practice as a pharmacist in the state of Washington expires in July 2000.

2.2 Respondent is concurrently licensed as a pharmacist in the state of Oregon.

2.3 On February 29, 2000 a Notice of Failure to Respond was issued by the Adjudicative Clerks Office. Respondent has not moved to vacate the order of default.

2.4 The Board of Pharmacy has no reason to believe that Respondent is in active military service.

2.5 Respondent resides in Portland, Oregon providing easy access to seek employment in either state.

2.6 On approximately May 1, 1997, Respondent entered into a Consent Order in the state of Oregon, (analogous to Findings of Fact, Conclusions of Law and Agreed Order in the state of Washington). The Consent Order Revokes Respondent's license in the state of Oregon for a period of Five (5) years. The terms and conditions imposed in the Consent Order are similar to terms and conditions imposed in stayed suspensions in the state of Washington.

2.7 The Oregon Consent Order was based on Respondent's admitted diversion of controlled substances on January 16, 1997, and for providing inaccurate information to the investigators from the state of Oregon.

2.8 On March 1, 2000 a Notice of Failure to Respond was issued by the Adjudicative Clerks Office. Respondent has not moved to vacate the order of default.

2.9 The Board of Pharmacy has no reason to believe that Respondent is in active military service.

Section 3: CONCLUSIONS OF LAW

3.1 Respondent was issued a license to practice as a pharmacist by the state of Washington, and is subject to the provisions of chapters 18.64 and 18.130 RCW and chapter 246-901WAC.

3.2 Respondent failed to appear in this matter and an order of default was entered. Based on the procedural history and the Findings of Fact, and pursuant to RCW 18.130.090(1) and RCW 34.05.440(2), the Board may issue a dispositive order based on the evidence presented to it.

3.3 Based upon Findings of Fact 2.1 Respondent has engaged in unprofessional conduct in violation of RCW 18.130.180 (5). The Board determines that sufficient grounds exist to take disciplinary action against Respondent's certificate to practice as a pharmacy technician in the state of Washington, pursuant to RCW 18.130.160.

Section 4: ORDER

Based on the foregoing Procedural History, Findings of Fact, and Conclusions of Law, the Board of Pharmacy hereby makes the following ORDER:

4.1 The certificate of the respondent to practice as a pharmacy technician in the state of Washington is **REVOKED** for a period of five (5) years. Pursuant to RCW 18.130.150,

Respondent may not petition for reinstatement for licensure for a period of five (5) years from the date this order is served.

4.2 Within 10 days of the effective date of this order, Respondent shall thoroughly complete the attached Healthcare Integrity and Protection Data Bank Reporting Form (Section 1128 of the Social Security Act) and return it to the disciplining authority.

Section 5: NOTICE TO PARTIES

As provided in RCW 34.05.461(3), 34.05.470, and WAC 246- 11-580, either party may file a petition for reconsideration. The petition must be filed with the Adjudicative Clerk Office, 1107 Eastside Street, PO Box 47879, Olympia WA 98504-7879, within ten days of service of this Order. The petition must state the specific grounds upon which reconsideration is requested and the relief requested. The petition for reconsideration shall not stay the effectiveness of this Order. The petition for reconsideration is deemed to have been denied 20 days after the petition is filed if the Board has not acted on the petition or served written notice of the date by which action will be taken on the petition.

"Filing" means actual receipt of the document by the Adjudicative Clerk Office, RCW 34.05.010(6) and WAC 246- 11-080. This Order was "served" upon you on the day it was deposited in the United States mail, RCW 34.05.010(18).

Proceedings for judicial review may be instituted by filing a petition in the Superior Court in accord with the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil

REDACTED

Enforcement. The petition for judicial review must be filed within thirty (30) days after service of this Order, as provided by RCW 34.05.542.

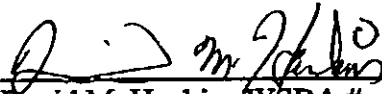
DATED THIS 5 DAY OF April, 200.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
BOARD OF PHARMACY



Presiding Officer

Presented by:



David M. Hankins WSBA #
Assistant Attorney General

FOR INTERNAL USE ONLY. INTERNAL TRACKING NUMBERS:

99120016

FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND FINAL ORDER ON DEFAULT
(Failure to Appeal) - PAGE 5

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REDACTED